

Order

Michigan Supreme Court
Lansing, Michigan

September 18, 2009

Marilyn Kelly,
Chief Justice

137990

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

SAULT STE. MARIE TRIBE OF CHIPPEWA
INDIANS,

Plaintiff/Counter-Defendant/
Appellee,

v

SC: 137990
COA: 276712
Chippewa CC: 04-007606-CC

BERNARD BOUSCHOR,
Defendant/Appellant,

and

DANIEL T. GREEN, DAVID E. SCOTT, JAMES
M. JANNETTA, and DANIEL J. WEAVER,
Defendants/Counter-Plaintiffs/
Appellees,

and

PAUL W. SHAGEN, JOSEPH M. PACZKOWSKI,
and JOLENE M. NERTOLI,
Defendants/Counter-Plaintiffs,

and

MILLER, CANFIELD, PADDOCK & STONE,
P.L.C.,
Defendant/Appellee.

On order of the Court, the application for leave to appeal the November 18, 2008 judgment of the Court of Appeals is considered. We DIRECT the parties to submit supplemental briefs, within 35 days of the date of this order, addressing the issue whether Michigan's governmental tort liability act, MCL 691.1401 *et seq.*, applies to defendant Bernard Bouschor, the former tribal chairperson of plaintiff Sault Ste. Marie Tribe of Chippewa Indians, in light of the Tribe's status as a sovereign and the definitions contained in MCL 691.1401. The application for leave to appeal remains pending.



p0915

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 18, 2009

Corbin R. Davis

Clerk